

EXHIBIT B

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BUILDERS ASSOCIATION OF
METROPOLITAN PITTSBURGH,

Plaintiff,

v.

CITY OF PITTSBURGH; *et al.*,

Defendants.

Civil Action

No. 2:22-cv-706-RJC

Judge Robert J. Colville

DECLARATION OF JOHN RHOADES

Pursuant to 28 U.S.C. § 1746, I, John Rhoades, hereby declare as follows:

1. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
2. I am over eighteen years of age and am otherwise competent to testify.
3. I am a Board Member of the Polish Hill Civic Association and the Chair of the Housing and Development Committee for the organization. I have served as Chair or Co-Chair of the Housing and Development Committee since January 2019 and as a Board Member since January 2022.
4. The Polish Hill Civic Association (“PHCA”) is a membership-based community benefit organization that organizes neighborhood activities in the Polish Hill section of Pittsburgh and advocates for the Polish Hill community. The PHCA’s mission is to respect and preserve the sense of community in Polish Hill while promoting economic and housing development opportunities, and improving the quality of life.

5. The PHCA has 51 members. Members are residents of the City-defined neighborhood boundaries of Polish Hill and pay \$5 in dues annually.

6. The PHCA works to promote affordable housing in numerous ways: PHCA formed a partnership with a community land trust that will break ground in August 2022 on an eight-unit permanently affordable owner-occupied housing development; in partnership with adjacent community organizations, the PHCA developed transit-oriented development priorities, which include prioritizing the development of affordable housing; and the PHCA maintains “naturally” affordable apartment units (below 50% AMI) in the building where the organization is headquartered. The PHCA convenes and informs community members about development in the neighborhood and provides opportunities for direct engagement.

7. In addition to economic and housing development, the PHCA conducts various other programs to improve the quality of life for the Polish Hill community, including: (1) convening a Green Team that organizes activities such as neighborhood clean-ups and tends community gardens; (2) hosting an annual Arts Fest; (3) convening a Bike & Pedestrian Committee; and (4) convening a Committee that works to improve Park conditions.

8. The PHCA has vigorously advocated for inclusionary zoning (“IZ”) and specifically the Inclusionary zoning Ordinance (“IZO”) as a means to increase affordable housing. The PHCA: (1) educated the community about IZ and about the IZO, and built strong community support; (2) testified in support of making IZ permanent in Lawrenceville via the IZO; (3) partnered with the Bloomfield Development Corporation to bring the IZO to their neighborhoods; (4) engaged with the Polish Hill City Councilperson; (5) coordinated with the City Planning Department for how best to structure IZ expansion to Polish Hill; and (6) organized community members to advocate for the IZO in the neighborhood by providing spoken or written testimony

at numerous public hearings before the City Planning Commission and City Council.

9. Invalidating the IZO would undermine the PHCA's mission and work. The PHCA is an all-volunteer organization. Countless volunteer hours have gone toward furthering affordable housing and specifically the passage of the IZO. Overturning the IZO would instantly negate all of this volunteer work and significant expenditure of resources.

10. The Polish Hill neighborhood's identity is one where families of any income can find a home. The work of the PHCA, to advance inclusionary zoning, is reflective of the priorities of the Polish Hill community to ensure that major residential developments in the neighborhood include accessible homes for *everyone*. Overturning the IZO would leave the PHCA with fewer tools in its toolbox to try to preserve neighborhood inclusivity and identity.

11. This lawsuit has already forced the PHCA to divert resources from its ongoing community work, and this diversion of resources has tangible consequences for the Polish Hill community.

12. Polish Hill is already facing displacement. If the IZO is overturned, the PHCA will have to work to support families living in the neighborhood as they grapple with housing costs that outpace their income. Without the IZO, displacement will accelerate and the PHCA will have to dedicate resources to responding.

13. I declare under penalty of perjury that the foregoing is true and correct.

Executed this __12th__ day of August, 2022, in Pittsburgh, Pennsylvania.



John Rhoades